

City of Waterville Charter Commission Committee Meeting

Tuesday, April 14, 2020

Virtual Meeting, Waterville Maine

The Meeting was called to order by Co-Chairman James Laliberty at 6:14 p.m.

Members present: Phil Bofia, Lutie Brown, Samantha Burdick, Rien Finch, Hilary Koch, James Laliberty, Ronald Merrill, Tom Nale, Julian Payne, and Cathy Weeks

City Clerk: Patti Dubois

The approval of the meeting minutes from March 25, 2020 was reviewed. The motion was made and seconded for amendments that will be revised before publishing the document. Vote was 10-0 to accept the minutes.

The meetings was conducted virtually due to the State and Nation are in a "stay at home" order due to a worldwide pandemic of the Covid-19 virus. The meeting is being made available for the public to listen to the meeting.

Please note the following is the second vote of the Charter Amendments for the following:
Please review back to the document titled "Charter Amendments – First Vote March 25, 2020

Charter Amendments –Second Vote April 14, 2020

Note: RN-43.1 replaces RN 43 from an early vote

Amendment # RN-96

Article 2 Section 4 shall be amended as follows:

A vacancy shall be declared if the City Council determines by a two-thirds vote of the members present that one or more of the above criteria are met. , except in the case of a special recall election, which follows processes as defined under Article X.

Motion was made, seconded. The vote was 10/0

Amendment # RN-97

Article 2 Section 4 shall be amended as follows:

The Chair of the City Council shall exercise the powers and perform the duties of the office of Mayor until a Mayor is elected and inducted as the result of a special municipal election. The Chair of the City Council shall continue to have a vote in the City Council but shall not have the veto power. Such special election shall be called for the purpose of electing a Mayor to fill the

vacancy. This election shall be called by the City Council shall take action to call a special election within thirty (30) days of the vacancy, unless the vacancy occurs within three (3) months prior to the next regular municipal election.

The motion was made, seconded. The vote was 10/0.

Amendment # RN-40

Article 9 shall be amended as follows:

Section 13. Induction of Elected Official(s).

Each officer elected under this Charter during a regular election shall be inducted and assume the duties of the office to which elected at the first regular meeting in January. In the occurrence that a regular election is not canvassed by the City Council before the aforementioned meeting, elected officer(s) shall be inducted and assume the duties of the office immediately after the canvassing of votes by the City Council. Each officer elected under this Charter during a special election shall be inducted and assume the duties of the office immediately after the canvassing of votes by the City Council.

Motion made, seconded. The vote was 10/0.

Amendment # RN-94

Article 2 Section 2 shall be amended as follows:

The Mayor shall be elected by the inhabitants of the City as provided in Article IX of this Charter.

The term of office shall be for three (3) years commencing with induction into office on the first Tuesday of January, after New Year's Day, next following the municipal election in accordance with Article IX Section XIII, and until a successor is elected and inducted.

Motion was made, seconded. The vote was 10/0.

Amendment # RN-18

Article 4 Section 5 shall be amended as follows:

The first meeting of the City Council for each newly elected City Councilor, for induction into office, shall be held at 7:00 p.m. on the first Tuesday of January after New Year's Day next following its election in accordance with Article IX Section XIII, after which the City Council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than twice each month. All meetings of the City Council shall be open to

the public, except as provided by state statute. The City Council shall keep a complete record of its proceedings which shall be a public record, except as limited by state statute.

Motion was made, seconded. The vote was 10/0.

Amendment # RN-41

Article 8 Section 1 shall be amended as follows:

A Board of Education, composed of seven (7) members, shall be elected from the wards as provided in Article IX of this Charter, and inducted in accordance with Article IX Section XIII. The terms of Board of Education members shall be three years in length and varied. Wards 1 and 7 shall be elected in one year, Wards 3 and 5 in another year, and Wards 2, 4, and 6 in a third year.

Motion was made, seconded. The vote was 10/0.

Amendment # RN-42

Article 9 Section 3 shall be amended as follows:

On the Tuesday following the first Monday of November, the registered voters of each ward, at the voting places designated for that ward, shall ballot as needed for Mayor, one City Councilor, one Board of Education member, and one Charter Commissioner from the ward in which they are resident. Each officer elected under this Charter shall be inducted and assume the duties of the office to which elected on the first Tuesday in January after New Year's Day, except that if New Year's Day falls on a Tuesday, they shall be inducted and assume the duties of office the following day. in accordance with Article IX Section XIII.

Motion was made, seconded. The vote was 10/0.

Amendment # RN-43.1

Article 9 Section 12 s shall be amended as follows:

Special elections may be called by the City Council for any purpose permitted by this Charter or by statutes. All special elections shall be called by a resolution of the City Council authorizing the issuance of a warrant which shall fix the time therefore and shall state the offices to be filled, or the questions to be decided, and shall direct the Clerk to give the necessary notice and follow the same necessary procedures as for the holding of regular elections.

Elected candidate(s) shall be sworn in within ten (10) days of the City Council's certifying the election inducted in accordance with Article IX Section XIII .

The motion was made, seconded. The vote was 10/0.

Discussion was held on Article II , Section 5 with Phil Bofia making the motion for the following to be added:

Article II – Section 2

Appoint, with approval of a majority of the City Council members present, members of boards and commissions; **such boards and commissions constitution should reflect the diverse nature of our community. Barring differential treatment of any individual under protected classes (Race. Color. Religion or creed. National origin or ancestry. Sex. Age. Physical or mental disability. Veteran status. Genetic information. Citizenship)**

The motion was made, seconded. The vote was 6/4. The motion did not pass. Those voting against this were Ron Merrill, Tom Nale, Julian Payne and Cathy Weeks.

Article III, Section 1 Appointment of City Manager, Qualifications.

Motion was made and discussion held as to further defining what the qualifications of a city manager applicant should be. Currently in the charter it is not clearly defined what the qualifications should be. It was decided that Subcommittee C will review and report back to the charter group. Subcommittee C are the following members: Samantha Burdick, Hilary Koch, James Laliberty and Cathy Weeks

Motion made, seconded . The vote was 10/0.

Motion was made and discussion held as to the fact that the city manager should be a United States citizen. Patti Dubois, City Clerk will investigate what the State statute documents as to the requirements for this position. This will be tabled until the next meeting on April 28, 2020.

Motion was made and discussion held as to the following change this it is felt this was an error in recording during the last charter commission in the title:

Article V Section 9 should read Article IV Section 7 D.

Motion was made, seconded. The vote was 10/0.

The next meeting we will begin review of Article III, Section 2.

Motion was made, seconded to adjourn the meeting at 8:14 p.m. Vote was 10/0

Sincerely,

Cathy Weeks,

Charter Commission Secretary

4/14/2020

